

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

I have been a listener and supporter of K-Love, a christian radio station that is fully supported by listeners, for several years. I became discouraged with commercial stations that focus their programming on a message and style of music that I find offensive. I was delighted to find K-Love and am distressed that new regulations may take it away from me.

Stations like K-Love are an important part of the American culture – giving citizens an opportunity to vote with their donated dollars for the type of programming they want to listen to. The proposed new regulations would seriously jeopardize the ability of these stations to limit their programming to content that is acceptable to the group of people who support the station. Diversity is an important part of America culture and by imposing regulations that force all stations to generalize their programming to include content that appeals to everyone is unacceptable. No one is forced to listen to any particular station, and the really great thing about user supported stations is that individuals can come together and with their contributions support a station that limits its programming to the preferences of the group that is paying the bills.

Listener supported stations have to operate on a tight budget. It is unfair to require unnecessary staffing and impose other restriction that are not necessary to operate the station. Are you trying to put our station out of business? How is that in the interest of the American citizens who are paying for these stations, and depend on them for programming that that are comfortable with?

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so – and must not be adopted.

(1) The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so – even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency – and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks – and curtailed service is contrary to the public interest.

I urge the FCC not to adopt rules, procedures or policies discussed above.

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